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Veröffentlichungsversion / Published Version

Zeitschriftenartikel / journal article

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Empfohlene Zitierung / Suggested Citation:

Barathi Panneerselvam, I., & Tayeb, A. (2023). Protesting in the time of pandemic: diagonal accountability, #KerajaanGagal, and democratic regression in Malaysia. *Journal of Current Southeast Asian Affairs*, 42(3), 421-440. <https://doi.org/10.1177/18681034231210313>

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Protesting in the Time of Pandemic: Diagonal Accountability, #KerajaanGagal, and Democratic Regression in Malaysia

Journal of Current
Southeast Asian Affairs
2023, Vol. 42(3) 421–440

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DOI: 10.1177/18681034231210313

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Abstract

This article argues that there are four conditions that create a conducive political climate allowing civil society and the media to hold the government accountable during the time of pandemic (2020–2021) i.e., the diagonal accountability: 1) the undemocratic formation of the Muhyiddin Yassin's government that lacked public mandate, which in turn made the government unstable and prone to political pressures; 2) the relative freedom of print and online media in reporting negative news concerning the government; 3) civil society's ability to find creative ways around pandemic restrictions to protest; and 4) socio-economic fallout from strict pandemic measures built up public resentment against the government and contributed to its unpopularity. Analyzed through the lens of political process model, and augmented by interviews with protest participants, the four conditions enable civil society and media to take advantage of the unstable political situation, namely in carving up democratic spaces amidst various restrictions imposed by the pandemic.

Manuscript received 18 July 2023; accepted 18 September 2023

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Keywords

pandemic protests, democratic backsliding, civil society, media freedom, state of emergency

Introduction

On 12 January, the then Prime Minister, Muhyiddin Yassin, announced the state of emergency as the daily number of COVID-19 cases hit 3,309, the country's highest thus far. Civil society activists and political analysts decried the move as a naked attempt at holding onto power by all means (Peter, 2021). The state of emergency allowed Muhyiddin to prolong the suspension of parliamentary seating, defying demands from the opposition raring to oust him through vote of confidence. Despite the reimposed social movement restrictions by the state of emergency, the number of daily cases continued to shoot up exponentially in the following months. By mid-April 2021, the hashtag #KerajaanGagal (failed government) began trending on Twitter, eliciting more than 60,000 retweets overnight, as Malaysians expressed their frustrations over the government's poor handling of the pandemic and the economy (#KerajaanGagal, 2021). In late June 2021, the "white flag" public campaign started to emerge as members of public in dire need for assistance were encouraged to raise a white flag in front of their home as a distress signal for help (Murnaena, 2021). The "white flag" campaign was not overtly political but its message was clearly a rebuke against the perceived government's incompetency in delivering aid to those severely affected by the economic fallout from the pandemic. The politically pointed "black flag" campaign followed suit in early July with the hashtag #Lawan (Fight), exhorting the public to raise a black flag in their homes as a sign of protest against the failed government (Eddy Aqmal, 2021). Sekretariat Solidariti Rakyat, a loose group of young activists behind the "black flag" and #Lawan campaign, staged a street protest on July 31, 2021, attended by hundreds of mainly young people, signifying the culmination of the increasing pressure on Muhyiddin to step down. On August 16, 2021 as new daily cases broke the 20,000 mark, Muhyiddin announced his resignation and was replaced by Ismail Sabri Yaakob from UMNO.

Lührmann, Marquadt and Mechkova define accountability as "de facto constraints on the government's use of political power through requirements of its justification of its actions and potential sanctions by both citizens and oversight institutions." In the case of diagonal accountability, it is "the extent to which actors outside of formal political institutions (e.g., the media and civil society) hold a government accountable" (2020, 812). This article argues that the media and civil society was able to hold the Muhyiddin Yassin's government accountable for its failures to deliver on political and economic fronts due to the weakened executive branch that was unable to respond in its characteristically cohesively hardline manner. The Muhyiddin's government, formed through undemocratic means, received a reprieve from the general public during the first wave of the pandemic as the focus was solely on combatting the

coronavirus. The goodwill soon wore off after the Muhyiddin adamantly refused to hold parliamentary seating fearing the vote of confidence, which led him to announce the state of emergency (January–August 2021) when the daily number of positive cases rose to four digits. Cumulative pushbacks by public campaigns and protests, that were organized extensively and efficiently through social media, and widespread media coverage of these actions, reached its crescendo by July 2021 and ultimately led to Muhyiddin Yassin stepping down on August 16, 2021 under mounting pressure from within and without the government. In this article, we contend that four conditions provided civil society and media with conducive environment in holding the government accountable: 1) the undemocratic formation of the Muhyiddin Yassin's government that lacked public mandate, which in turn made the government unstable and prone to political pressures; 2) the relative freedom of print and online media in reporting negative news concerning the government; 3) civil society's ability to find creative ways around pandemic restrictions to protest; and 4) socio-economic fallout from strict pandemic measures built up public resentment against the government and contributed to its unpopularity.

Malaysia at this time went through a period of democratic regression after making great strides since 2018 in consolidating its democracy. In the 2018 general elections, the then opposition Coalition of Hope (Pakatan Harapan, PH), against all odds, managed to defeat the long-reigning National Front (Barisan Nasional, BN). Between 2018 and 2020, Malaysia received its best score yet on the Democracy Index compiled by the Economist Intelligence Unit ("Malaysia climbs EIU democracy index," 2021). Malaysia's quality of democracy took a hit after the so-called "Sheraton Move" that brought down the PH government in late February 2020 and ushered in the National Alliance (Perikatan Nasional, PN) government led by Muhyiddin Yassin. Using public health risk from the ensuing COVID-19 pandemic as a pretext, the Muhyiddin's government suspended parliament seating and therefore avoided a vote of confidence that could potentially challenge his government's legitimacy. Muhyiddin's desperate attempt to avoid parliamentary vote of confidence extended into 2021 when in January he declared a nation-wide state of emergency due to rising number of COVID-19 cases. Among the restrictions imposed by the state of emergency was the continued suspension of parliamentary seating. The Muhyiddin's government also used harsh laws including the Prevention and Control of Infectious Diseases Act to crack down on protests and criticisms against the deeply unpopular state of emergency. After making significant gains in the preceding years, Malaysia's democracy regressed during the pandemic due to the then PN's undemocratic means of coming to power and its lack of public mandate, exemplified by its vehement refusal to allow for a vote of confidence in the parliament and the aggrandization of monarchy's role as political arbiter (Azmil, 2021).¹

This article is organized into four parts. The first part looks at the protests against the Muhyiddin government during the COVID-19 global pandemic and the latter's ultimate collapse through the lens of social movement theory, namely the political process model. The political process model, first used by Douglas McAdam to explain the success of the Black civil rights movement in the US, provides a theoretical framework that aptly describes the accomplishment of Malaysian civil society groups in forcing accountability

from the Muhyiddin government. The second part looks at political unrests and instability that began in late February 2020 after the infamous “Sheraton Move” that brought down the then PH government. Seizing power through undemocratic means places Muhyiddin Yassin’s government in a precarious situation where its legitimacy can always be challenged in the parliament. The third part delves into ways that civil society organized and staged their protests in the face of severe social movement restrictions imposed by pandemic measures. The fourth part elaborates on the four conditions mentioned above on how the civil society and the media had been able to hold the Muhyiddin Yassin’s government accountable to the point of forcing him to resign as the Prime Minister.

Political Process Model and Protesting in the Time of Pandemic

Protesting in public in Malaysia comes with varying degrees of risk. During the six-decade reign of the BN regime, street protests were a treacherous undertaking with the state coming down hard against public dissents. The then BN regime would deploy the notorious Federal Reserve Unit (FRU) to break up protests with tear gas, water cannons, and batons even when the protests were civil and non-violent. It would also use repressive laws on the book such as the Internal Security Act, Sedition Act, University and University Colleges Act, among others, to silence its critics and dissenters. The then BN regime was considered as strong and cohesive, allowing it to ride out major challenges to its rule such as the 1998–1999 Reformasi and the series of Bersih rallies (2007–2015). BN suffered a shocking defeat in the 2018 general election, which ushered in the erstwhile opposition, PH, into power (Chin and Welsh, 2018; Muhamad Nadzri, 2018). Due to its multicultural composition, the then PH government was vulnerable to ethno-religious attacks from the predominantly Malay-Islamic opposition that later formalized into a coalition called the National Concord (Muafakat Nasional, MN). The 22-month period of the then PH government was shaken by Malay-Islamic groups protesting against the government’s perceived efforts to undermine the special rights of Malays, Islam, and the King. For instance, the anti-ICERD protest on 8 December 2018 drew more than 50,000 participants to the center of Kuala Lumpur.² Even though the PH government was voted in through public mandate and therefore had legitimacy, the coalition itself was not stable to begin with as it was made up of unlikely political bedfellows – ranging from the secular, Chinese-dominated DAP to Malay nationalist Bersatu to Islamist Amanah – whose sole common objective was to depose the previous Prime Minister, Najib Razak. Relentless ethno-religious onslaughts finally culminated in the defection of the Malay nationalist party, Bersatu, along with several PKR members, to join the aforementioned Malay-Islamic-centric Muafakat Nasional, which led to the eventual downfall of the then PH government and brought in the Muhyiddin Yassin’s PN government.

According to Sidney Tarrow (1998), contentious politics often results from opportunities presented by current political dynamics such as opening of institutional access, rift

between political elites, securing new allies and weakening of government's capacity for repression. These opportunities create the proverbial chink in the government's armor, of which contentious politics can take advantage. Opportunities comprise the first of five elements needed for a social movement to prevail, what Douglas McAdam (1982) terms the "political process model." Besides opportunities, McAdam lists mobilizing structures, framing processes, protest cycles, and contentious repertoire as the main components of the "political process model." The five aspects of the political process model were instrumental in the emergence of the #KerajaanGagal and #Lawan movement.

First, while the opportunities were readily apparent for challengers of the government in 2021, it was not so in the preceding year. In the early months of the pandemic in 2020, the government enjoyed high approval rating from the general public for its efforts to keep the spread of the disease at a minimum. There were sporadic challenges to the government at this time but they were mere flash in the pan and did not snowball into a mass movement. The opportunity came in 2021 when public support dropped precipitously as COVID19 cases spiked nationwide. The government was seen as incapable of responding to the public health and economic crises in a decisive manner and was distractedly riven by intra-coalitional bickering.³ The Muhyiddin government was simply too unstable and insecure to mount a counteroffensive against the #KerajaanGagal movement. It tried to intimidate and cajole the dissenters by promising more assistance and employing harsh laws and regulations to stifle the protesting fervor but to no avail. The Malay nationalist party, UMNO, which was by then divided into two camps with one faction – the government cluster – stubbornly remained in the government and another faction – the court cluster – chose to leave the government coalition and operate as an independent political force. The resulting elite fragmentation in the Malay-Muslim leadership provided the rare opportunity for the formation of a loose movement of multi-ethnic and multi-religious challengers. As with the case of the Bersih movement for electoral reforms, ethnic and religious diversity is an integral component in ensuring the success of a political challenge, which is particularly essential in Malaysia's ethno-religious political landscape (Khoo, 2020).

Second, success of a political challenge relies on access to mobilizing structures to build a movement. #KerajaanGagal and #Lawan had access to social media platforms and the close-knit network of civil society groups as arenas for mobilization. 78.5 percent of Malaysia's population are social media users, with 76 percent are on Facebook, 77 percent on TikTok, and 16.1 percent on Twitter (Data Reportal, 2023). Even though there are laws that closely regulate social media use such as the 1998 Communications and Multimedia Act, their enforcement is uneven, depending on the political exigencies at the time. The laws often target social media users who are deemed to have violated the sacred "3R rule": Race, Religion, and Royalty. The #KerajaanGagal and #Lawan mobilization did not break along ethno-religious fault lines as it typically does in Malaysia's highly racialized politics. It is characterized by cross-identity solidarity united by the public's exasperation towards a perceivably incompetent and illegitimate government. In other words, the movement was able to fully utilize the social media to build support and elude the sensitive 3Rs by virtue of cross-

identity solidarity. The #Lawan movement also benefitted from likeminded civil society groups such as Suaram, UNDII18, Parti Sosialis Malaysia (PSM) and others that worked together as part of the Sekretariat Solidariti Rakyat to plan and mobilize the #Lawan protests. These groups share common left leaning ideology and have been involved in similar protests in the past. As such, they are no stranger to each other, which made organising and planning the protests frictionless and well-coordinated.

Third, the movement must be able to frame its grievances effectively in such a way that the narrative resonates well with the broad swath of the population. The #Lawan and #KerajaanGagal movement was successful in controlling the narrative and dominating discussions on social media despite the government's best efforts to counter its negative image ("Jangan percaya kempen kerajaan gagal – Muhyiddin," 2021). On social media, the term #KerajaanGagal quickly went viral as it tapped into the bubbling anger and frustration of the general public. The popularity of the #KerajaanGagal narrative among social media users lowered the costs of contentious politics as the deeply unpopular government had to be more circumspect in its response to political challenges.

Fourth, ability to sustain protests over a period of time increases the odds of a movement to prevail. Unlike the sporadic protests in 2020 that did not lead to substantive change, the #KerajaanGagal movement in 2021 maintained its momentum through consistent protest cycles. From the moment Muhyiddin government announced the state of emergency in January 2021 until his resignation in August 2021, there were eighteen public protests, which cumulatively served to raise public awareness, strengthen the solidarity between those opposing the government, and recruit supporters. The challengers did not let Muhyiddin's government off the hook and constantly engaged with it until the prime minister's resignation in August 2021.

Fifth, it is vital that a movement engages in a variety of contentious repertoires to make known their claims and amplify the direness of its grievances. The #KerajaanGagal and #Lawan movement was part of street protests, boycott (*hartal*), flash mobs, mass gathering of *buka puasa* (breaking fast) in front of the parliament, in addition to online activism. An interesting aspect of the #KerajaanGagal and #Lawan movements is their highly decentralized nature that does not have well-defined organizational and leadership structure, aside from the egalitarian Sekretariat Solidariti Rakyat, which helps them to steer clear of bitter power struggle, internal sabotage and ideological tussles that inevitably allows them to gain wider support from the population at-large.

The political process model, however, due to its structuralist approach, places less importance on "indigenous resources" such as "grief, ideology, informal networks, solidarity, trust, and leadership" prevalent within the organizational structure that operates at a more inter-personal level. The shortcomings are made apparent by the political process model's singular focus on class consciousness as "the basis of group power" and "source of grievances," which, in turn, downplays the role of individual autonomy, symbolic actions, and self-determination spirit (Larana, 2009). The approach's overestimation of political opportunities – an opportunity waiting to be seized upon by enfranchised and conscientised masses – does not adequately interrogate "actors' choices, desires, and

points of view,” in what Jaspers terms “theory of action” (2010: 966). In other words, individuals join a social movement driven by their own motivations and develop their own meanings of the protest, shaped by both their individual grievances and “framing” efforts by social movement’s primary actors. This article, therefore, incorporates individual interpersonal elements to shore up the lacuna left by the political process model by interviewing those who were involved in the protests during this time.

Political Turmoil Amidst the Global Pandemic

In less than two years since becoming the federal government and capturing several state governments, an internal power tussle broke out within PH that culminated in the infamous “Sheraton Move” in late February 2020. Members of Parliament (MPs) from the Muhyiddin Yassin-led faction of Bersatu and the Azmin Ali-led PKR faction withdrew their political allegiance from PH to form a new government with their former arch-rivals BN and the Islamic party PAS under a new alliance dubbed the National Alliance (Perikatan Nasional, PN) (Panneerselvam, 2021; Reuters, 2020; Ufen, 2021). PH lost its majority in the parliament, and subsequently, the incumbent prime minister, Mahathir Mohamad, resigned from his position to install a unity government, but the proposition was rejected by both sides of the divide. In the meantime, Mahathir was appointed as interim prime minister (caretaker) until a successive government ascended to power with a convincing majority (Reuters, 2020). With the fall of an elected government, the Malaysian cabinet was dissolved.

The political stalemate caused a power vacuum that resulted in the King’s intervention, who was perceived by many as a necessary stabilizing force to overcome the crisis. Others, however, felt the over-reliance on the constitutional monarch was contradictory to the democratic principles upheld by the Malaysian constitution (Latiff, 2021). For almost a week, all 222 MPs were privately interviewed by the King to provide a signed declaration stating their choice of prime minister. The royal hand in choosing the prime minister was unprecedented in Malaysian history. Muhyiddin Yassin was appointed as the seventh prime minister after commanding a simple majority through the signed declarations of the elected MPs (Azmil, 2021). The procedure through which PN became the ruling government was widely perceived as undemocratic since this new ruling coalition failed to attain people’s mandate, earning it the moniker “back-door government” (Bowie, 2021; Ratcliffe, 2021). However, an impervious Muhyiddin Yassin shifted his attention to address the surging COVID-19 cases despite the criticism directed at him and his government.

Muhyiddin Government and COVID-19 Pandemic Measures

When Muhyiddin assumed the prime ministership, the COVID-19 situation in Malaysia stood at 25 patients per day, demonstrating that rigorous containment efforts that were in place (Ain Umaira et al., 2020). Since March 1 2020, the numbers rose gradually to 29 per day, followed by a sharp incline from March 14, 2020, onwards but still lower than 100.

Worrying developments emerged from March 15, 2020, with more than 100 cases of infection and reports of sporadic deaths due to COVID-19, creating a nationwide panic (Daniel Tang, 2020). Malaysia thus entered a series of movement restriction phases known as Movement Control Order (MCO), Conditional Movement Control Order (CMCO), and Recovery Movement Control Order (RMCO), imposed according to the severity of the infection rates and followed the WHO-outlined standard operating procedures (SOPs) (Amanina Abdur et al., 2020; Ain Umaira et al., 2020). As a result of the MCO, routine socio-economic, political, and cultural activities were adversely affected. Marginalized communities such as refugees and migrant workers especially suffered the worst brunt of the pandemic as the wave of xenophobia swept across the country (Aznil and Por, 2021). Apart from essential services such as food and transportation, other businesses and employment sectors had to either convert their working methods or cease operations. A study by the United Nations Population Fund (UNFPA) and United Nations Children's Fund (UNICEF) shows major disruption in income flow and rise in individual health crisis, especially among lower income groups, who are 'more likely to be unemployed, have reduced working hours, and experience greater challenges in accessing healthcare and home-based learning, as well as exacerbating food insecurity' ("Families on the edge," 2020).

Muhyiddin's leadership introduced several policy measures to ease the financial burdens of the masses, including automatic moratoriums on hire purchases, wage subsidies for employers, and cash aids, among others. These aids helped to boost his public approval rating as they reached wide swaths of the society. For example, his *Prihatin* economic stimulant efforts benefited about 96.8% of respondents, according to data collected from a special survey (Department of Statistics Malaysia, 2020). Over time, Muhyiddin declared himself an *Abah* (father) in an effort to project an image of a paternalistic figure to his fellow Malaysians (Panneerselvam, 2021).

The critical juncture came shortly thereafter. Despite warnings, the COVID-19 containment, prevention, and elimination efforts were dealt a severe blow due to decisions inconsistent with the path to a nationwide recovery (Maelzer, 2021). Malaysia's political scenario was far from stable as the earlier political power tussle and political ploys of the Peninsular resonated amongst Sabah's elected representatives, too, forcing the state to undergo a by-election in September 2020. Instead of tightening the SOPs to contain the infection during the Sabah by-election, Muhyiddin's government decided to reduce the quarantine days for those travelling to and from Sabah during the election campaign. As predicted, the infection rates skyrocketed after the SOPs were loosened (Lim et al., 2021). A study conducted by the National University of Singapore attributes the 70% increase in COVID-19 cases in Sabah and the 64% increase nationwide to the Sabah state election (Lim et al., 2021). Around May 2021, the average daily number of COVID-19 cases jumped from 3000 to 9000.

In general, Malaysians were dissatisfied with the government's inability to combat COVID-19 and even more so with the subsequent targeted lockdowns that could have been avoided with strict SOPs during the Sabah by-election. Criticism poured from all walks of life regarding the PN's newly implemented lockdowns (Lim et al., 2021), primarily for their partiality, which was not applicable to many of the factories proven to

be fertile ground for rapid infections – the so-called ‘*kluster kilang*’ (factory clusters) – as admitted by the Health Director-General, Dr Noor Hisham Abdullah (Malik, 2021). The Muhyiddin government’s constant politicking created massive disgruntlement amongst the public, and the deteriorating popularity was too visible to the eyes of many, including his allies (UMNO/BN), who openly criticized and disassociated themselves in the public arena while ironically remaining in the ruling coalition. Calls for Muhyiddin’s resignation reverberated louder among the masses.

Wracked by insecurity and the fear of losing his prime ministerial power, Muhyiddin dealt another blow against Malaysian democracy by acquiring the King’s approval to declare a state of emergency that saw the suspension of Malaysian parliament and tightening of movement restrictions. Muhyiddin promised the emergency period was not a “coup” and no curfew shall be enforced. It was merely a stringent measure to combat COVID19 infections (“Malaysia Declares COVID State of Emergency Amid Political Changes,” 2021). Platforms to display public dissent were confined to social media platforms due to the continuous closure of the Malaysian parliament and restrictive laws pertaining to public assembly, which prohibited physical acts of civil disobedience. Nonetheless, civil society organizations across Malaysia, buoyed with diverse political causes and ideologies, discovered channels to express their disappointments and demands against the deteriorating socioeconomic and political developments, braving the consequences from both the pandemic and the government. By August 2021, Muhyiddin finally succumbed to the growing political pressure within his coalition partners and the general public and decided to resign from his Prime Ministership.

Civil Society Mobilization in the Time of Pandemic

Protesting against the government during the pre-pandemic times was already difficult with a bevy of laws limiting the actions of protest organisers, along with the very real possibility of arbitrary arrests by the authorities during and after the protests. The COVID-19 pandemic has made protesting even more arduous and riskier due to reasons stated above. That is not to say there were no protests during the pandemic. Several government hospital cleaners in Perak, organized by the Socialist Party of Malaysia (PSM), protested in front of the Ipoh hospital on June 2, 2020 over mistreatment by their private employer Edgenta UEMS. The police promptly arrested them under Section 186 of the Penal Code for obstructing a public servant in discharge of his public functions and Section 269 of the Penal Code for risk of spreading an infection while committing an act (“Five arrested for protest against union-busting outside Ipoh hospital,” 2020). On July 26, 2021, hundreds of contract doctors walked out of their hospitals as a protest against their job insecurity (“Contract medical officers walk out nationwide,” 2020). Both hospital cleaners and doctors are considered front-liners in the country’s battle against the pandemic and their acts to fight for their rights by staging a protest was publicly polarizing. Some saw the acts as courageous and necessary while there were others who called the acts selfish and insensitive to the collective adversities faced by everyone in the country. It was amidst this divisive atmosphere the

#KerajaanGagal and #Lawan protests were conceived and carried out, with Sekretariat Solidariti Rakyat organizing the latter.

Sekretariat Solidariti Rakyat and Contentious Repertoires

Sekretariat Solidariti Rakyat (SSR) sprung from a coalition of individuals from mixed backgrounds expressing a common disappointment with ongoing national developments. In an interview with an online news portal, the key members cum organizers of SSR such as Mohd Asraf Sarafi, Qyira Yusri and Mohammad Abdullah Alshatri, confirmed their affiliation with civil society organizations such as UNDI18, Suaram and others and their involvement with SSR is a voluntary one, not at the behest of their respective organizations (Alyaa Alhadjri and Ng, 2021). Prior to the #Lawan rally, SSR's key members made inroads into the mass society through a series of events launched to publicize their demands to the public at-large and the Muhyiddin-led PN government. The three main demands are: 1) Resignation of Muhyiddin Yassin; 2) Automatic moratorium on debt repayment for those hard done by the pandemic; and 3) Parliamentary session to reconvene (Alyaa Alhadjri et al., 2021). SSR channeled these demands through a variety of contentious repertoires. For instance, members of SSR organized a '*buka puasa buka parlimen*' (break the fast, open the parliament) protest in-front of the Parliament on April 30, 2021 that attracted almost 100 participants (Theseira, 2021). On May 11, 2021, SSR hosted a nationwide social media protest specifically against the prolonged mobility restrictions which was criticized as a failure of the PN government in virus containment despite declaring emergency measures.⁴ This protest was followed by a synchronized "black flag" vehicle convoy⁵ on July 24, 2021 in selected states around the country before the final showdown – the #Lawan rally at Dataran Merdeka in the center of Kuala Lumpur (Hisamudin, 2021; Loheswar, 2021).

On July 31, 2021, an estimated crowd of 2000 people gathered at Kuala Lumpur in a rally that was supposed to end at Dataran Merdeka. Organized by the Sekretariat Solidariti Rakyat (SSR), the rally attracted predominantly young and first-time participants. Participants with whom we talked felt a deep abiding sense of responsibility to act in the weeks leading up to the protest. It was such a bleak time marked by government incompetency in handling the pandemic, political instability, and the closing of the parliament due to the state of emergency. There was a blanket feeling of hopelessness as all formal channels for political expressions were closed. The only option available was to take one's frustrations out to the streets. Yan Ke, who has participated in numerous protests before, clearly expressed this frustration,

"Our *wakil rakyat* (people's representatives) or the MPs are not allowed to go to the Parliament and debate things. What I mean here is we don't have any platform. People always say that you have the *saluran* (channel) and that we need to use the proper *saluran*. But the problem was there was no other appropriate platform provided to the [protest] participants. Even though we voiced out on social media, does the government really take into consideration our appeal? I don't think so."

Trish, who was a first-time protester, shared her gloomy sentiment at the time,

“I think we were already in a situation where everything was going so terrible in the country, where even if you are not going to go on protest that day, only for like two hours, it’s not going to make any change at that point.”

Another first-timer, Sofea, stated that “I have nothing to lose by the fact that high number of people were dying. On that I think that’s why I need to join the protest.” Similarly, a seasoned young protester, Amirah, agrees that it was acceptable to protest despite the pandemic because of the high mortality rate and the fact that many people were seriously questioning government’s pandemic policies and were not happy at all. Therefore, according to her, “it is socially responsible for Malaysians to protest against the government.” Akmal, who participated in Black Lives Matter protests while studying in the US, said that it was perfectly okay to protest during the pandemic so long as participants followed the SOP set by the government, which they did. More importantly, he said that one should be able to exercise one’s freedom of speech even during the pandemic.

Ideology surprisingly is not a major factor in pushing most of these young people to take it to the streets. Many of them claim not subscribing to any particular ideology but their views tend to hew close to socialist ideas. Siti Nurizzah, a former student activist, shared her personal take on her own ideological beliefs,

“By thought, it’s socialist; by actions, it’s liberal; by intention, I don’t know. It’s a mix, I believe. I feel I’m leaning more on socialism but by action most of the time it’s liberal because I work for a human rights NGO.”

Some young protesters prefer to focus more on personal values, rather than ideology, as the prime motivator that gets them to act in the first place. Akmal believes that what a person stands for cannot simply be compartmentalized into a rigid ideological category,

“...having a stance of what your values and what you believe in is essential. But I don’t see it as bottles or jars of ideology such as this is socialism or this is right-wing or democracy or whatever. I think it’s just your values. Having your values creates your stance, and I think having a stance is important when you are trying to make a decision of where the country is heading towards.”

Young participants of the #Lawan rally were also emboldened by perceived safety that came with group organising and info sharing with social media and messaging apps such as WhatsApp and Telegram. A first-timer, Dinesh, who became a member of PSM before the protest, found out about it through PSM’s WhatsApp group. PSM was part of the main organising team (SSR), which then allowed Dinesh to play an active role as a marshal directing other protesters, particularly when it came to observing the SOP. Trish, another first-timer, said that she would never have joined the protest had it been a small affair,

“For a first-timer, I expected it (protest) to be quite big, which why exactly I joined. I felt very reassured when it comes to group solidarity, compared to the solo one or only with a small group.”

Gandiphan, who is a member of PSM’s youth wing and also participated in the SSR organising efforts, echoed the strong group solidarity that began from early organising meetings and social media campaigns to the day of the protest itself and post-protest when the police were looking for people suspected of participating in the protest,

“Solidarity really helps us to overcome the fear because post-Lawan rally the police officers really made an effort to go to the organisers’ house one by one to send out letters and to check on them. However, during that time, we took care of each other and had in be in communication with those who had participated in the rally. We asked them if they were okay, where are they, are they safe. We have been checking on each other and I think that kind of solidarity really helped the comrades to overcome their fear and anxieties during that time.”

The personal accounts of selected individual protesters introduce a micro-level look at various motivations of people involved in the #KerajaanGagal and #Lawan protests and the different ways they made sense of these protests. The political process model emphasises macro-level theorising that focuses on contentious interaction between challengers and the regime with little attention given to why people join a social movement and how these disparate individuals make sense of the movement’s objectives and grievances. This article strives to combine both micro and macro aspects of social movement theory into its analysis, so as to provide a comprehensive and nuanced picture of the #KerajaanGagal and #Lawan protests.

Analyzing Diagonal Accountability in the Time of Pandemic

Civil society groups and the media, by and large, were able to exercise a healthy degree of accountability over Muhyiddin’s government in 2021, chiefly due to four conditions created by the exigencies of the time: 1) the undemocratic formation of the Muhyiddin Yassin’s government that lacked public mandate, which in turn made the government unstable and prone to political pressures; 2) the relative freedom of print and online media in reporting negative news concerning the government; 3) civil society’s ability to find creative ways around pandemic restrictions to protest; and 4) socio-economic fallout from strict pandemic measures built up public resentment against the government and contributed to its unpopularity.

The Muhyiddin’s government came to power through defections of MPs from the PH government and as such its legitimacy was never tested by parliamentary votes. His government was exclusively dependent on the claim of having a majority of Statutory of Declarations (SDs) and not a clear public mandate from winning the general election. Unlike the transparency of election results, Muhyiddin kept the names of MPs signing SDs to support him a secret, which information were only shared with the King. His refusal to make public the supporting MPs’ names and to hold a vote of confidence in

the parliament meant that the legitimacy of Muhyiddin's government would be constantly challenged by its opponents, also claiming to have the numbers to form the government, and by the general public that felt its voting rights had been trampled upon. Lack of proven and transparent political legitimacy made the Muhyiddin's government unstable and exposed to political pressures. Opponents of Muhyiddin's government from within and without pounced on this weakness like sharks sensing blood in the water. A government that was too preoccupied with its own self-preservation was not able to expend much effort in monitoring and regulating civil society organizations and the media. Civil society was able to move and mobilize with relative freedom, while the media by and large remained neutral and provided space for various competing views to co-exist – both points will be discussed next.

During the long years of Barisan Nasional (BN) rule (1957–2018), the media was kept on a tight leash, primarily through laws designed to curtail freedom of expression such as Printing Presses and Publications Act, Sedition Act, Official Secrets Act, Communications and Multimedia Act and Internal Security Act. Many of these mainstream media companies were also owned by BN component parties such as UMNO (Utusan Malaysia) and MCA (The Star). The then BN government also used the Registrar of Societies (RoS), an official body under the Home Ministry that has the authority to deregister any non-governmental organizations and political parties, which made it more difficult for them to operate. After the then opposition coalition, Pakatan Harapan (PH), wrested control of the federal government in 2018, Malaysia's position in the World Press Freedom (WPF) Index improved tremendously from 145 in 2018 to 101 in 2020 as the then PH government pursued media reforms. When the PN government undemocratically took over in March 2020, Malaysia's WPF Index dropped to 119 in 2021 and 113 in 2021 (World Press Freedom Index, 2021). The media did not enjoy similar freedom and democratic space during the reign of PN government (2020–2022), which led to the drop in ranking. Malaysiakini, a prominent online news website, was fined RM500,000 (USD110,000) for contempt of court simply because of its alleged failure to monitor and moderate the comment section in its articles (Hidir Reduan, 2021). Journalists from the Qatar-based news agency, Al-Jazeera, were also targeted by the PN government due to their unfavorable coverage of the government's heavy-handed efforts in isolating migrant workers from the general population during the first wave of the pandemic (Al Jazeera, 2020). Long-time outspoken anti-establishment critics such as the famous cartoonist, Zunar, and graphic designer, Fahmi Reza, were not spared from the government's attempt to muzzle dissents as the authorities filed sedition charges against them for caricaturing a PN leader and the Queen, respectively (Ainaa, 2021).

Despite the deterioration in press freedom during the PN years, the media in general were still much freer than during the BN era. Mainstream online and offline media published articles and op-ed pieces that were highly critical of PN government's policies especially when it came to its haphazard ways in dealing with the rising number of COVID-19 cases in the country, its adamant refusal to reopen the parliament, and ill-advised declaration of the state of emergency. According to the Suaram (a national

human rights organization), the media was largely free but still vulnerable to government's arbitrary use of the Sedition Act. In 2021, the government investigated twenty-two individuals on sedition charges, arrested four and convicted one (Suaram 2021, 61–65). Nevertheless, the aforementioned public campaigns directed against the Muhyiddin's government, including the #Lawan street protest, would not have reached wider population had the media not free and episodically controlled by the government. The PN government was simply too preoccupied with the infighting between its component parties, namely UMNO and Bersatu, while trying hard to circumvent any challenge to its legitimacy.

Freedom of assembly also suffered during the PN years because the government was able to exploit the pandemic to deploy the Prevention and Control of Infectious Diseases Act against mass gatherings, in addition the usual draconian law such as the Peaceful Assembly Act. The pandemic restrictions and the threat of government sanction notwithstanding, seventeen public protests took place in 2021 with the biggest one being the #Lawan protest on 31 July (Suaram Report 2021, 78–84). Civil society groups were able to find creative ways around pandemic restrictions to take to the streets to protest such as the #BukaPuasaBukaParlimen (Break Fast, Open Parliament) protest on 19 April that saw more than a hundred people marched from Tugu Negara (National Monument) to amass in front of the Parliament and break fast together while maintaining social distancing (it was during the fasting month of Ramadan). Prior to the #Lawan protest, the organising committee SSR also staged a flash mob at Dataran Merdeka (Independence Square) on 17 July and a national convoy on 24 July, both to publicize the #Lawan protest on 31 July. Opposition MPs also joined protests to demand the government to open up the Parliament, which strengthened similar claims made by civil society groups. Neither strict movement control measures imposed by the government's pandemic policies nor divided public opinion dampen the spirits of the protesters. The government, however, did use the Prevention and Control of Infectious Diseases Act and the Peaceful Assembly Act in 2021 to investigate forty-one individuals but did not file single charge against them, which meant the investigations only served as an ineffective tool of intimidation against government's critics (Suaram Report 2021, 85).

In 2020, as with the rest of the world, Malaysian economy suffered a major blow due to the COVID-19 pandemic. The economy contracted 5.6 percent, making it the second worst performance after 7.4 percent at the height of the Asian Financial Crisis in 1998 (Department of Statistics Malaysia, 2020). The economy rebounded slightly in 2021 at 3.1 percent growth as various sectors re-opened and got their operation back up again. Nevertheless, Malaysia's GDP was still RM37.2 billion short of the pre-pandemic level, a clear indicator that many economic sectors were still not operating at a full capacity (Department of Statistics Malaysia, 2021). It also meant that many jobs that were lost during the pandemic had yet to be filled. According to the then Human Resource Minister, M. Saravanan, as of September 2021, almost 156,000 workers lost their jobs since the pandemic started (Minderjeet, 2021). Positive macroeconomics indicators in 2021 did not trickle down fast enough to alleviate the hardship of many affected by the pandemic. Some Malaysian companies like Top Glove, the world's largest glove

maker, made a killing during the pandemic by producing equipment for essential workers, posted RM2.87 billion (USD695.93) in net profit while at the same time exposing its workers to dangerous workplace through crowded assembly lines and workers' dormitories (Beech, 2020; "Malaysia's Top Glove post record profit," 2021). Inability of the PN government to provide enough assistance to the needy, coupled with resentment against rapacious companies earning obscene profit on the backs of its dying workers, fueled grassroots movements such as "white flag" and the "black flag" to protest and demand for government's accountability.⁶

Conclusion

The article argues that the #KerajaanGagal and #Lawan movement had succeeded in forcing the resignation of the then Prime Minister, Muhyiddin Yassin, primarily due to the emergence of four conditions: 1) the undemocratic formation of the Muhyiddin Yassin's government that lacked public mandate, which in turn made the government unstable and prone to political pressures; 2) the relative freedom of print and online media in reporting negative news concerning the government; 3) civil society's ability to find creative ways around pandemic restrictions to protest; and 4) socio-economic fallout from strict pandemic measures built up public resentment against the government and contributed to its unpopularity. The extraordinary events during the pandemic era contributed to these conditions that provided the civil society and the media space and freedom to challenge the government at the time when democratic accountability took a backseat over public health concerns and the unelected government's desperate need to hold onto power. The political crisis that followed the Sheraton Move in February 2020 resulted in an unstable and fractured government in want of democratic legitimacy, which then provided civil society groups, abetted by a relatively open and free media, with opportunities to exert pressure and agitate for change.

Seen through the lens of the political process model, the #KerajaanGagal and #Lawan movement emerged from the deeply fragmented and highly contentious political landscape and successfully took on a government widely perceived as a failure and illegitimate. A severely weakened executive allowed civil society and media to hold the government accountable despite myriad restrictions imposed by the pandemic's social movement control and preexisting draconian laws that suppress freedom of speech and assembly. The political process model is able to explain to a large extent why the #KerajaanGagal and #Lawan movement were able to take advantage of the abovementioned four conditions. However, the structuralist approach of the political process model overlooks individual motivations and meaning-makings when joining the movement. As a remedy, this article's analysis incorporates responses from various individuals who had participated in the #Lawan movement, namely why did they join the protest and what were their perceptions of the government and the movement itself.

The fact that the #KerajaanGagal and #Lawan protests took place during the pandemic begs the question whether it can be replicated at other times or is it a sui generis phenomenon? The four conditions stated above can in fact emerge in a non-pandemic time though

with low likelihood. Conditions two and three – relative freedom of media and civil society – have in fact been a fixed mainstay of Malaysian democracy since 2018. The political milieu has become more competitive and fragmented, allowing civil society and media, particular online news, more room to maneuver with fewer restrictions and pressures to toe the official government line. Condition one – government legitimacy or lack thereof – is no longer an issue after November 2022 when Malaysia held its general election and ushered in a new government with a fresh mandate from the electorate. The parliament also passed the anti-hopping law in October 2022 with the purpose of maintaining a stable government that can serve out its term and preventing another “Sheraton Move” from happening again, which means it is no longer that easy to bring down a government via undemocratic means. Condition four remains salient as Malaysia grapples with high commodity prices and depressed wages. The public is generally unhappy with the government’s inability to control soaring prices of basic food items such as rice and this resentment has the potential of being harnessed by those wanting to challenge the government (Aqil and Lydia, 2023). In all, diagonal accountability is here to stay in Malaysia as its democracy deepens and government of the day will find it hard to elude or suppress checks from the empowered civil society and media.

Acknowledgment

Acknowledgement to “Ministry of Higher Education Malaysia for Fundamental Research Grant Scheme with Project Code: FRGS/1/2020/ SS0/USM/02/15” and Universiti Sains Malaysia Short Term Grant, 304/ PSOSIAL/6315357.

Declaration of Conflicting Interests

The authors declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding

The authors disclosed receipt of the following financial support for the research, authorship, and/or publication of this article: This work was supported by the Malaysian Ministry of Higher Education, (grant number FRGS/1/2020/ SS0/USM/02/15, USM Short Term Grant 304/ PSOSIAL/6315357).

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Notes

1. Since the parliament was closed, it was left to the King to determine which coalition had the “legitimacy” to form a government and appoint a Prime Minister by privately submitting to the King signed Statutory of Declarations from supporting Members of Parliament (MPs). The King then in his judgment decided which coalition had the majority support from the MPs. The whole process took place inside the palace and undisclosed to the public.
2. ICERD stands for International Convention on the Eradication of Racism and Discrimination, a UN treaty that Malaysia has yet to ratify. Its Malay-Muslim opponents misleadingly claimed that

- ICERD would erode the special position of Malays, Islam and the King, so much so the latter can be tried by a UN Tribunal. The then PH government initially planned to ratify ICERD but pulled back after the massive protest (Lim, 2018).
3. By January 2021, 54 percent of Malaysians of voting age believed that the country was heading in a wrong direction while 32 percent said the country was on the right track (Merdeka Center, 2021).
 4. Protesters are required to take a photograph outside their home (on the streets) with the hashtag #BerayaDiJalanraya (Celebrating on the Streets) and #EnamTuntutan (6 Demands) (“SSR calls for Aidilfitri social media protest against PN, MCO,” 2021).
 5. The convoy was held simultaneously in different Malaysian states. Sabah, Sarawak, Kedah, Penang, Selangor and Malacca. Eventually, the colour black became synonymous with the #Lawan movement, which was adopted as the theme for the #Lawan protest on the 31 July 2021. See also Alyaa and Ng (2021).
 6. By January 2021, 50 percent of Malaysians of voting age were dissatisfied of government’s management of the economy while 45 percent said they were satisfied (Merdeka Center, 2021).

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